

In re Melvyn M. BAEZ and Jessica J. Baez, Debtors
No. 99-16396-BKC-AJC
(Cite as: 244 B.R. 480)

The Court found, as a matter of law, in a Chapter 13 case, a debtor is permitted to "strip off" a completely unsecured mortgage encumbering their principal residence. A junior mortgagee with a security interest in a Chapter 13 debtor's principal residence is entitled to the protections of 11 U.S.C. § 1322(b)(2) only if the lien is at least partially secured.